



02/16/01

02-20-01

PRESS MAIL NO.: EL 49158 P11US  
ATTORNEY DOCKET NO. 01097.0008U2

SERIAL NO. Unassigned

PAGE 1 OF 3 (02/16/01)

CONTINUING APPLICATION TRANSMITTAL FORM  
(37 C.F.R. § 1.53(b))

ANTICIPATED CLASSIFICATION OF THIS APPLICATION:

PRIOR APPLICATION: 09/058,384

CLASS: SUBCLASS:

EXAMINER: Crouch, D.

ART UNIT: 1632

To the Assistant Commissioner for Patents:

This is a request for filing a continuation under 37 C.F.R. 1.53(b), of pending prior application Serial No. 09/058,384, filed April 9, 1998, which is a continuation of Serial No. 08/808,126, filed on February 28, 1997, which is a file-wrapper-continuation of Serial No. 08/478,197, filed June 7, 1995, which is a divisional of Serial No. 08/094,547, filed February 19, 1993, which is a continuation of Serial No. 07/894,211, filed June 4, 1992, now U.S. Patent No. 5,455,169, issued October 3, 1995, of MICHAEL J. MULLAN for "TEST AND MODEL FOR ALZHEIMER'S DISEASE".

If any extension of time is necessary for the filing of this application, including any extension of time necessary in the prior application for maintaining copendency between the prior application and this application, and such extension has not otherwise been requested, Applicant hereby petitions for such an extension in the prior application.

1. Enclosed is a specification as prescribed by 35 U.S.C. § 112 containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75, and any drawing required by § 1.81(a).

2. The inventor(s) of the invention being claimed in this application is: MICHAEL J. MULLAN

3A. ☒ This application is a continuation or divisional application (not a continuation-in-part) that:

- (i) names as inventors the same or fewer than all of the inventors named in the prior application; and
- (ii) contains no matter that would have been new matter in the prior application; and
- (iii) a copy of the executed oath or declaration filed in the prior application, showing the signature or an indication thereon that it was signed:

☒ is enclosed.  
☐ will follow.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.53(d)(4), the Commissioner is requested to delete the name(s) of the following persons who are not inventors of the invention being claimed in this application:

--OR--

3B. ☐ This application is a continuation-in-part application, or a continuation or divisional application naming an inventor not named in the prior application. A newly executed oath or declaration:

☐ is enclosed.  
☐ will follow.

4. ☐ Amend the Title of the Invention as follows:

3573 U.S. PTO  
09/786951

02/16/01

5. ☒ Amend the specification by inserting before the first line the sentence:

This application is a continuation of, and claims the benefit of, application Serial No. 09/058,384, filed on April 9, 1998, which status is abandoned, which is a continuation of Serial No. 08/808,126, filed on February 28, 1997, which status is abandoned, which is a file-wrapper-continuation of Serial No. 08/478,197, filed June 7, 1995, which status is abandoned, which is a divisional of Serial No. 08/094,547, filed February 19, 1993, which status is abandoned, which is a continuation of Serial No. 07/894,211, filed June 4, 1992, now U.S. Patent No. 5,455,169, issued October 3, 1995, which applications are hereby incorporated herein by reference.

6. ☐ Priority of foreign application number , filed on in is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior application Serial No. , filed on .

7. ☒ Cancel in this application original claims 1-20 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

8. ☐ A preliminary amendment is enclosed.

9. ☐ New formal drawings are enclosed.

10. ☒ Also enclosed are: Copy of Request for Extension of Time, Serial No. 09/058,384 and Authorization to Treat Reply Requiring Extension of Time As Incorporating Petition for Extension of Time And Payment of Extension of Time Fee

11. ☒ The prior application is assigned of record to: Alzheimer's Institute of America, Inc.

12. ☒ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27:

☐ is enclosed

☒ was filed in prior application Serial Number 08/094,547 and such status is still proper and desired (37 C.F.R. 1.28(a)).

13. The filing fee is calculated as follows:

TOTAL CLAIMS	12 - 20 = 0	x \$18.00	\$0
INDEPENDENT CLAIMS	1 - 3 = 0	x \$80.00	\$0
MULTIPLE DEPENDENT CLAIM(S) (IF APPLICABLE) =		+ \$270.00	\$0
BASIC FEE =			\$710.00
TOTAL OF ABOVE CALCULATIONS =			\$710.00
REDUCTION BY 1/2 FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. 1.9, 1.27, 1.28) IF APPLICABLE, AFFIDAVIT MUST BE FILED ALSO.			\$355.00
TOTAL NATIONAL FEE =			\$355.00

14. ☒ A check in the amount of \$355.00 is enclosed.

15. ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account No. 14-0629.


16. [X] The Power of Attorney in the prior application is to: NEEDLE & ROSENBERG, P.C.

- a. [X] The Power of Attorney appears in the original papers in the prior application.
- b. [] Since the Power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [] Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)

Gwendolyn D. Spratt, Esq.  
NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, GA 30303-1811

17. I hereby verify that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Gwendolyn D. Spratt  
REG. NO. 36,303

  
SIGNATURE

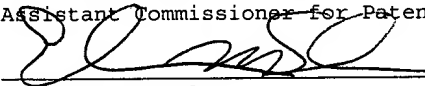
2-16-01  
DATE

- [] Inventor(s)
- [] Assignee of complete interest
- [X] Attorney or agent of record
- [] Filed under 37 C.F.R. 1.34(a)  
(Registration No. is acting under 37 C.F.R. 1.34(a):

EXPRESS MAIL NO. EL 491587111US

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Invoice No. EL 491587111US in an envelope addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.

  
Everardo McFarlane

2-16-01  
DATE

ATTORNEY DOCKET NO. 01097.0008U2  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
MULLAN )  
Serial No. Unassigned ) Group Art Unit: Unassigned  
Filed: Concurrently ) Examiner: Unassigned  
For: TEST AND MODEL FOR ALZHEIMER'S )  
DISEASE )



AUTHORIZATION TO TREAT REPLY REQUIRING EXTENSION OF TIME  
AS INCORPORATING PETITION FOR EXTENSION OF TIME  
AND PAYMENT OF EXTENSION OF TIME FEE

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811

February 16, 2001

Sir:

Pursuant to 37 C.F.R. §1.136(a)(3), the Commissioner is hereby requested and authorized to treat any concurrent or future reply in the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.

ATTORNEY DOCKET NO. 01097.0008U2  
PATENT

The Commissioner is also authorized to charge all required extension of time fees under 37 C.F.R. § 1.17 to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.




Gwendolyn D. Spratt  
Registration No. 36,016

NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811  
(404) 688-0770

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, No. EL 491587111US in an envelope addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.



Everardo McFarlane

2-16-01

Date

ATTORNEY DOCKET NO. 01097.0008  
SERIAL NO. 09/058,384

A check in the amount of \$445.00 is attached. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



Gwendolyn D. Spratt  
Registration No. 36,016

NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811  
(404) 688-0770

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.



Gwendolyn D. Spratt

2-16-01

Date

ATTORNEY DOCKET NO. 01097.0008

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
MICHAEL J. MULLAN : Group Art Unit: 1632  
Serial No.: 09/058,384 :  
Filed: April 9, 1998 : Examiner: Crouch, D.  
For: "TEST AND MODEL FOR ALZHEIMER'S :  
DISEASE" :

REQUEST FOR EXTENSION OF TIME

Assistant Commissioner for Patents  
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811

02/23/2001 BALANCE 00000090 09058384

01 FC:217

445.00 DP

February 16, 2001

Sir:

It is respectfully requested that an extension of time for the period indicated below be granted in accordance with the provisions of 37 C.F.R. Section 1.136 to maintain pendency of the application identified in the caption for the filing of a continuation application:

_____	One Month	\$110.00	(\$ 55.00)*
_____	Two Months	\$390.00	(\$195.00)*
<u>  X  </u>	Three Months	\$890.00	(\$445.00)*
_____	Four Months	\$1,390.00	(\$695.00)*
_____	Five Months	\$1,890.00	(\$945.00)*

\* Small Entity